

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001(ss) be amended to read as follows:

- 1 Page 89, delete lines 7 through 42 and insert:
- 2 "SECTION 104. IC 6-1.1-18-3, AS AMENDED BY P.L.273-1999,
- 3 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JANUARY 1, 2003]: Sec. 3. (a) Except as provided in subsection (b),
- 5 the sum of all tax rates for all political subdivisions imposed on
- 6 tangible property within a political subdivision may not exceed:
- 7 (1) forty-one and sixty-seven hundredths cents (\$0.4167) on each
- 8 one hundred dollars (\$100) of assessed valuation in territory
- 9 outside the corporate limits of a city or town; or
- 10 (2) sixty-six and sixty-seven hundredths cents (\$0.6667) on each
- 11 one hundred dollars (\$100) of assessed valuation in territory
- 12 inside the corporate limits of a city or town.
- 13 (b) The proper officers of a political subdivision shall fix tax rates
- 14 which are sufficient to provide funds for the purposes itemized in this
- 15 subsection. The portion of a tax rate fixed by a political subdivision
- 16 shall not be considered in computing the tax rate limits prescribed in
- 17 subsection (a) if that portion is to be used for one (1) of the following
- 18 purposes:
- 19 (1) To pay the principal or interest on a funding, refunding, or
- 20 judgment funding obligation of the political subdivision.
- 21 (2) To pay the principal or interest on an outstanding obligation
- 22 issued by the political subdivision if notice of the sale of the

obligation was published before March 9, 1937.

(3) To pay the principal or interest upon:

(A) an obligation issued by the political subdivision to meet an emergency which results from a flood, fire, pestilence, war, or any other major disaster; or

(B) a note issued under IC 36-2-6-18, IC 36-3-4-22, IC 36-4-6-20, or IC 36-5-2-11 to enable a city, town, or county to acquire necessary equipment or facilities for municipal or county government.

(4) To pay the principal or interest upon an obligation issued in the manner provided in IC 6-1.1-20-3 (before its repeal) or IC 6-1.1-20-3.1 through IC 6-1.1-20-3.2.

(5) To pay a judgment rendered against the political subdivision.

(6) **To meet the requirements of the family and children's fund for child services (as defined in IC 12-19-7-1); pay the principal of, interest on, issuance costs of, or liquidation costs of an obligation governed by IC 12-19-5 or IC 12-19-7.**

~~(7) To meet the requirements of the county hospital care for the indigent fund.~~

(c) Except as otherwise provided in IC 6-1.1-19 or IC 6-1.1-18.5, a county board of tax adjustment, a county auditor, or the state board of tax commissioners may review the portion of a tax rate described in subsection (b) only to determine if it exceeds the portion actually needed to provide for one (1) of the purposes itemized in that subsection."

Page 90, delete lines 1 through 9.

Page 96, delete lines 24 through 40 and insert:

"SECTION 107. IC 6-1.1-18.5-9.7, AS AMENDED BY P.L.273-1999, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 9.7. (a) The ad valorem property tax levy limits imposed by section 3 of this chapter do not apply to ad valorem property taxes imposed under any of the following:

~~(1) IC 12-16; except IC 12-16-1;~~

~~(2) (1) IC 12-19-5.~~

~~(3) (2) IC 12-19-7.~~

~~(4) (3) IC 12-20-24.~~

(b) For purposes of computing the ad valorem property tax levy limits imposed under section 3 of this chapter, a county's or township's ad valorem property tax levy for a particular calendar year does not include that part of the levy imposed under the citations listed in subsection (a).

(c) Section 8(b) of this chapter does not apply to bonded indebtedness that will be repaid through property taxes imposed under IC 12-19."

Page 134, delete lines 1 through 21, begin a new line block indented

and insert:

"STATE	GROSS RETAIL INCOME
GROSS	FROM THE
RETAIL	RETAIL UNITARY
TAX	TRANSACTION
\$ 0	less than \$.10
\$.01	at least \$.10; but less than \$.30
\$.02	at least \$.30; but less than \$.50
\$.03	at least \$.50; but less than \$.70
\$.04	at least \$.70; but less than \$.90
\$.05	at least \$.90; but less than \$1.10
\$ 0	less than \$0.08
\$ 0.01	at least \$ 0.08 but less than \$0.23
\$ 0.02	at least \$ 0.23 but less than \$0.38
\$ 0.03	at least \$ 0.38 but less than \$0.54
\$ 0.04	at least \$ 0.54 but less than \$0.69
\$ 0.05	at least \$ 0.69 but less than \$0.85
\$ 0.06	at least \$ 0.85 but less than \$1.00
\$ 0.07	at least \$ 1.00 but less than \$1.15
\$ 0.08	at least \$ 1.15 but less than \$1.31
\$ 0.09	at least \$ 1.31 but less than \$1.46
\$ 0.10	at least \$ 1.46 but less than \$1.62
\$ 0.11	at least \$ 1.62 but less than \$1.77
\$ 0.12	at least \$ 1.77 but less than \$1.92
\$ 0.13	at least \$ 1.92 but less than \$2.08

On a retail unitary transaction in which the gross retail income received by the retail merchant is ~~one dollar~~ **two dollars** and ~~ten~~ **eight** cents (~~\$1.10~~) (**\$2.08**) or more, the state gross retail tax is ~~five~~ **six and five-tenths** percent (~~5%~~) (**6.5%**) of that gross retail income."

Page 134, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 135. IC 6-2.5-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]:

Chapter 2.5. Sales Tax Welfare Fund

Sec. 1. As used in this chapter, "sales tax" means the tax imposed under IC 6-2.5-2.

Sec. 2. (a) The sales tax welfare fund is established.

(b) The purpose of the sales tax welfare fund is to provide a source of money to provide a source of money to meet the following obligations assumed by the state:

- (1) assumption of county contributions to the medical assistance to wards program under IC 12-13-8 (repealed);
- (2) assumption of county contributions to the children with special health care needs program under IC 16-35-3 (repealed);
- (3) assumption of county contributions to the hospital care

1 **for the indigent program under IC 12-16-14 (repealed);**
 2 **and**
 3 **(4) assumption of the county obligation for child services**
 4 **(as defined in IC 12-19-7-1).".**

5 Page 142, delete line 1, begin a new line block indented and insert:

6 "(1) **five six and five-tenths** percent ~~(5%)~~; **(6.5%)**; multiplied

7 by".

8 Page 142, delete lines 16 through 22, begin a new paragraph and
 9 insert:

10 "(b) A retail merchant's "income exclusion ratio" for a particular tax
 11 year equals a fraction, the numerator of which is the retail merchant's
 12 estimated total gross retail income for the tax year from unitary retail
 13 transactions which produce gross retail income of less than ~~ten eight~~
 14 cents ~~(\$10)~~ **(\$0.08)** each, and the denominator of which is the retail
 15 merchant's estimated total gross retail income for the tax year from all
 16 retail transactions.".

17 Page 142, delete line 42, begin a new paragraph and insert:

18 "(b) The allowance equals ~~one seven hundred sixty-nine~~
 19 **thousandths** percent ~~(1%)~~ **(0.769%)** of the retail merchant's state gross
 20 retail and use tax liability accrued during a reporting period.".

21 Page 143, delete lines 1 through 2.

22 Page 143, delete line 14, begin a new line block indented and insert:

23 "~~(ii) five~~ **(2) six and five-tenths** percent ~~(5%)~~; **(6.5%)**.".

24 Page 143, delete line 26, begin a new line block indented and insert:

25 "~~(ii) five~~ **(2) six and five tenths** percent ~~(5%)~~; **(6.5%)**.".

26 Page 144, delete lines 8 through 19, begin a new paragraph and
 27 insert:

28 "(b) Concurrently with filing the report, the retail merchant shall
 29 remit the state gross retail tax in an amount which equals ~~one~~
 30 ~~twenty-first (1/21)~~ **six and one hundred three thousandths percent**
 31 **(6.103%)** of the gross receipts, including state gross retail taxes but
 32 excluding Indiana and federal gasoline and special fuel taxes, received
 33 by the retail merchant from the sale of the gasoline and special fuel that
 34 is covered by the report and on which the retail merchant was required
 35 to collect state gross retail tax. The retail merchant shall remit that
 36 amount regardless of the amount of state gross retail tax which ~~he the~~
 37 **retail merchant** has actually collected under this chapter. However,
 38 the retail merchant is entitled to deduct and retain the amounts
 39 prescribed in subsection (c), IC 6-2.5-6-10, and IC 6-2.5-6-11.".

40 Page 144, delete lines 30 through 42.

41 Page 145, delete lines 1 through 10, begin a new paragraph and
 42 insert:

43 "SECTION 150. IC 6-2.5-10-1, AS AMENDED BY P.L.253-1999,
 44 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 45 JULY 1, 2002]: Sec. 1. (a) The department shall account for all state
 46 gross retail and use taxes that it collects.

(b) The department shall deposit those collections in the following manner:

(1) ~~Forty percent (40%)~~ **Thirty and seven hundred sixty-nine thousandths percent (30.769%)** of the collections shall be paid into the property tax replacement fund established under IC 6-1.1-21.

(2) ~~Fifty-nine and three-hundredths percent (59.03%)~~ **Sixty and seven hundred ninety-two thousandths percent (60.792%)** of the collections shall be paid into the state general fund.

(3) ~~Seventy-six hundredths~~ **Five hundred eighty-five thousandths** of one percent (~~0.76%~~) **(0.585%)** of the collections shall be paid into the public mass transportation fund established by IC 8-23-3-8.

(4) ~~Four hundredths~~ **Thirty-one thousandths** of one percent (~~0.04%~~) **(0.031%)** of the collections shall be deposited into the industrial rail service fund established under IC 8-3-1.7-2.

(5) ~~Seventeen hundredths~~ **One hundred thirty-one thousandths** of one percent (~~0.17%~~) **(0.131%)** of the collections shall be deposited into the commuter rail service fund established under IC 8-3-1.5-20.5.

(6) Seven and six hundred ninety-two thousandths percent (7.692%) of the collections shall be deposited into the sales tax welfare fund established under IC 6-2.5-2.5-2."

Page 230, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 255. IC 12-13-5-1, AS AMENDED BY P.L.273-1999, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 1. The division shall administer or supervise the public welfare activities of the state. The division has the following powers and duties:

(1) The administration of old age assistance, aid to dependent children, and assistance to the needy blind and persons with disabilities, excluding assistance to children with special health care needs.

(2) The administration of the following:

(A) Any public child welfare service **or child service.**

(B) The licensing and inspection under IC 12-17.2 and IC 12-17.4.

(C) The care of dependent and neglected children in foster family homes or institutions, especially children placed for adoption or those born out of wedlock.

(D) The interstate placement of children.

(3) The provision of services to county governments, including the following:

(A) Organizing and supervising county offices for the effective administration of public welfare functions.

- 1 (B) Compiling statistics and necessary information concerning
- 2 public welfare problems throughout Indiana.
- 3 (C) Researching and encouraging research into crime,
- 4 delinquency, physical and mental disability, and the cause of
- 5 dependency.
- 6 (4) Prescribing the form of, printing, and supplying to the county
- 7 departments blanks for applications, reports, affidavits, and other
- 8 forms the division considers necessary and advisable.
- 9 (5) Cooperating with the federal Social Security Administration
- 10 and with any other agency of the federal government in any
- 11 reasonable manner necessary and in conformity with IC 12-13
- 12 through IC 12-19 to qualify for federal aid for assistance to
- 13 persons who are entitled to assistance under the federal Social
- 14 Security Act. The responsibilities include the following:
- 15 (A) Making reports in the form and containing the information
- 16 that the federal Social Security Administration Board or any
- 17 other agency of the federal government requires.
- 18 (B) Complying with the requirements that a board or agency
- 19 finds necessary to assure the correctness and verification of
- 20 reports.
- 21 (6) Appointing from eligible lists established by the state
- 22 personnel board employees of the division necessary to effectively
- 23 carry out IC 12-13 through IC 12-19. The division may not
- 24 appoint a person who is not a citizen of the United States and who
- 25 has not been a resident of Indiana for at least one (1) year
- 26 immediately preceding the person's appointment unless a
- 27 qualified person cannot be found in Indiana for a position as a
- 28 result of holding an open competitive examination.
- 29 (7) Assisting the office of Medicaid policy and planning in fixing
- 30 fees to be paid to ophthalmologists and optometrists for the
- 31 examination of applicants for and recipients of assistance as
- 32 needy blind persons.
- 33 (8) When requested, assisting other departments, agencies,
- 34 divisions, and institutions of the state and federal government in
- 35 performing services consistent with this article.
- 36 (9) Acting as the agent of the federal government for the
- 37 following:
- 38 (A) In welfare matters of mutual concern under IC 12-13
- 39 through IC 12-19.
- 40 (B) In the administration of federal money granted to Indiana
- 41 in aiding welfare functions of the state government.
- 42 (10) Administering additional public welfare functions vested in
- 43 the division by law and providing for the progressive codification
- 44 of the laws the division is required to administer.
- 45 (11) Supervising day care centers and child placing agencies.
- 46 (12) Supervising the licensing and inspection of all public child

1 caring agencies.

2 (13) Supervising the care of delinquent children and children in
3 need of services.

4 (14) Assisting juvenile courts as required by IC 31-30 through
5 IC 31-40.

6 (15) Supervising the care of dependent children and children
7 placed for adoption.

8 (16) Compiling information and statistics concerning the ethnicity
9 and gender of a program or service recipient.

10 (17) Providing permanency planning services for children in need
11 of services, including:

12 (A) making children legally available for adoption; and

13 (B) placing children in adoptive homes;

14 in a timely manner.

15 **(18) Providing medical assistance to wards from money**
16 **appropriated for that purpose.**

17 SECTION 256. IC 12-13-5-5, AS AMENDED BY P.L.273-1999,
18 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JANUARY 1, 2003]: Sec. 5. (a) Each county auditor shall keep records
20 and make reports relating to the county welfare fund (before July 1,
21 2001), the family and children's fund (**before January 1, 2004**), and
22 other financial transactions as required under IC 12-13 through
23 IC 12-19 and as required by the division.

24 (b) All records provided for in IC 12-13 through IC 12-19 shall be
25 kept, prepared, and submitted in the form required by the division and
26 the state board of accounts.

27 SECTION 257. IC 12-13-7-17, AS AMENDED BY P.L.273-1999,
28 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JANUARY 1, 2003]: Sec. 17. The part of the care and maintenance of
30 the inmates of the Plainfield Juvenile Correctional Facility and the
31 Indianapolis Juvenile Correctional Facility that under law is to be
32 charged back to the counties shall be paid from the county general
33 fund. ~~and not the county family and children's fund; unless otherwise~~
34 ~~provided by law:".~~

35 Page 231, delete lines 10 through 42 and insert:

36 "SECTION 257. IC 12-15-15-9, AS AMENDED BY P.L.283-2001,
37 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JANUARY 1, 2003]: Sec. 9. (a) Subject to subsections (e), (f), (g), and
39 (h), for each state fiscal year ending June 30, 1998, June 30, 1999, June
40 30, 2000, June 30, 2001, ~~and~~ June 30, 2002, **and each state fiscal year**
41 **to which subsection (e), (f), (g), or (h) applies**, a hospital is entitled
42 to a payment under this section.

43 (b) Subject to subsections (e), (f), (g), and (h), total payments to
44 hospitals under this section for a state fiscal year shall be equal to all
45 amounts transferred from the state hospital care for the indigent ~~fund~~
46 **program** established under IC 12-16 or IC 12-16.1 for Medicaid

current obligations during the state fiscal year, including amounts of the **fund program** appropriated for Medicaid current obligations.

(c) The payment due to a hospital under this section must be based on a policy developed by the office. The policy:

(1) is not required to provide for equal payments to all hospitals;

(2) must attempt, to the extent practicable as determined by the office, to establish a payment rate that minimizes the difference between the aggregate amount paid under this section to all hospitals in a county for a state fiscal year and the amount of the county's hospital care for the indigent property tax levy; for that state fiscal year and

(3) must provide that no hospital will receive a payment under this section less than the amount the hospital received under IC 12-15-15-8 for the state fiscal year ending June 30, 1997.

(d) Following the transfer of funds under subsection (b), an amount equal to the amount determined in the following STEPS shall be deposited in the Medicaid indigent care trust fund under IC 12-15-20-2(2) and used to fund a portion of the state's share of the disproportionate share payments to providers for the state fiscal year:

STEP ONE: Determine the difference between:

(A) the amount transferred from the state hospital care for the indigent fund under subsection (b); and

(B) thirty-five million dollars (\$35,000,000).

STEP TWO: Multiply the amount determined under STEP ONE by the federal medical assistance percentage for the state fiscal year.

(e) If funds are transferred under IC 12-16-14.1-2(e), those funds must be used for the state's share of funding for payments to hospitals under this subsection. A payment under this subsection shall be made to all hospitals that received a payment under this section for the state fiscal year beginning July 1, 2001, and ending June 30, 2002. Payments under this subsection shall be in proportion to each hospital's payment under this section for the state fiscal year beginning July 1, 2001, and ending June 30, 2002.

(f) If the office of the **uninsured parents program** established by ~~IC 12-17.7-2-1~~ does not implement an uninsured parents program as provided for in IC 12-17.7 before July 1, 2003, and funds are transferred under IC 12-16-14.1-3, a hospital is entitled to a payment under this section for the state fiscal year beginning on July 1, 2002. Payments under this subsection shall be made after July 1, 2003, but before December 31, 2003.

(g) If the office does not implement an uninsured parents program as provided for in IC 12-17.7 before July 1, 2003, a hospital is entitled to a payment under this section for state fiscal years ending after June 30, 2003.

(h) If funds are transferred under IC 12-17.7-9-2, those funds shall be used for the state's share of payments to hospitals under this subsection.

A payment under this subsection shall be made to all hospitals that received a payment under this section for the state fiscal year beginning July 1, 2001, and ending June 30, 2002. Payments under this subsection shall be in proportion to each hospital's payment under this section for the state fiscal year beginning July 1, 2001, and ending June 30, 2002."

Page 232, delete lines 1 through 33.

Page 234, delete lines 30 through 42.

Delete pages 235 through 238.

Page 239, delete lines 1 through 39.

Page 240, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 261. IC 12-16-14.1-1, AS ADDED BY P.L.283-2001, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 1. (a) ~~All funds in a county hospital care for the indigent fund on July 1, 2002, derived from taxes levied under IC 12-16-14-1(1) or allocated under IC 12-16-14-1(2) shall be immediately transferred to the state hospital care for the indigent fund.~~

~~(b)~~ (a) Subject to subsection ~~(d)~~, (b), beginning July 1, 2002, all tax receipts derived from taxes levied under IC 12-16-14-1(1) **(repealed)** that are first due and payable in calendar year 2002 or earlier, or allocated under IC 12-16-14-1(2) **(repealed)** in calendar year 2002 or earlier, shall be paid into the county general fund. Before the fifth day of each month, all of the tax receipts paid into the general fund under this ~~subdivision~~ **subsection** during the preceding month shall be transferred to the state hospital care for the indigent fund.

(c) ~~All tax receipts derived from taxes levied under IC 12-16-14-1(1) that are first due and payable after calendar year 2002, or allocated under IC 12-16-14-1(2) after calendar year 2002, shall be paid into the county general fund. Before the fifth day of each month, all of the tax receipts paid into the general fund under this subdivision during the preceding month shall be transferred to the state uninsured parents program fund established by IC 12-17.8-2-1.~~

~~(d)~~ (b) If the state hospital care for the indigent fund is closed under section 2(d) of this chapter at the time a transfer of receipts is to be made to the fund, the receipts shall be transferred to the state uninsured parents program fund established by IC 12-17.8-2-1.

SECTION 145. IC 12-16-14.1-2, AS ADDED BY P.L.283-2001, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 2. (a) Subject to subsections (b), (c), and (e), and subject to the requirements of IC 12-15-15-9(b) regarding appropriations from the state hospital care for the indigent fund for Medicaid current obligations, beginning July 1, 2002, all funds deposited in the state hospital care for the indigent fund derived from taxes levied under IC 12-16-14-1(1) **(repealed)** or allocated under

IC 12-16-14-1(2) (**repealed**) shall be used by the division to pay claims for services:

(1) eligible for payment under the hospital care for the indigent program under IC 12-16-2 (before its repeal); and

(2) provided before July 1, 2002.

(b) This section may not delay, limit, or reduce ~~the following~~:

~~(1) Any appropriation required under state law from the state hospital care for the indigent fund for Medicaid current obligations for the state fiscal years beginning July 1, 2000, and July 1, 2001, for purposes of payments under IC 12-15-15-9(a) through IC 12-15-15-9(d) for the state fiscal years beginning July 1, 2000, and July 1, 2001.~~

~~(2) The transfer of additional funds from the state hospital care for the indigent fund for Medicaid current obligations anticipated under IC 12-15-15-9(b) for purposes of IC 12-15-15-9(a) through IC 12-15-15-9(d) for the state fiscal years beginning July 1, 2000, and July 1, 2001.~~

~~(3) for state fiscal years beginning after June 30, 2002, any other appropriation required under state law from the state hospital care for the indigent fund for the uninsured parents program established under IC 12-17-7-2-2.~~ **IC 12-17.7-2-1.**

(c) The division shall cooperate with the office in causing the appropriations and transfers from the state hospital care for the indigent fund described in subsection (b) to occur.

(d) The state hospital care for the indigent fund shall close upon the earlier of the following:

(1) The payment of all funds in the fund.

(2) The payment of all claims for services provided before July 1, 2002, that were eligible for payment under the hospital care for the indigent program under IC 12-16-2 (before its repeal).

(e) Notwithstanding subsection (d) and IC 12-16.1, if at any time before the closing of the state hospital care for the indigent fund the amount of funds on deposit exceeds the amount necessary to pay the claims for services provided before July 1, 2002, that were eligible for payment under the hospital care for the indigent program under IC 12-16 (before its repeal), those excess funds shall be transferred from the fund for use as the state's share of funding for payments to hospitals under IC 12-15-15-9(e). **Subject to the operation of Except for funds transferred to the state hospital care for the indigent fund under sections 4.5, 5, and 6 of this chapter, amounts deposited in the state hospital care for the indigent fund under IC 12-16.1 are not subject to this subsection.**

(f) Upon the closing of the state hospital care for the indigent fund, no further obligation shall be owed under the hospital care for the indigent program under IC 12-16-2 (before its repeal).

SECTION 146. IC 12-16-14.1-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: **Sec. 4.5. (a) All tax receipts derived from taxes levied under IC 12-16-14-1(1) (repealed) that are first due and payable in calendar year 2002 or earlier or allocated under IC 12-16-14-1(2) (repealed) in calendar year 2002 or earlier that are in the county general fund on December 31, 2002, shall be transferred to the state hospital care for the indigent fund before January 5, 2003.**

(b) If the state hospital care for the indigent fund is closed under section 2 of this chapter at the time a transfer of receipts is to be made to the fund under subsection (a), the receipts shall be transferred to the state uninsured parents program fund established by IC 12-17.8-2-1. If the uninsured parents program is terminated before January 1, 2002, money transferred to the uninsured parents program fund under subsection (a) shall be disposed of as provided in IC 12-17.7-9-2.

(c) If a county has in its possession on December 31, 2002, money described in subsection (a) that has not been deposited in the county general fund or receives money described in subsection (a) after December 31, 2002, the county shall immediately transfer the money to the state for deposit as described in subsections (a) and (b).

SECTION 147. IC 12-16-14.1-5, AS ADDED BY P.L.283-2001, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: **Sec. 5. If the office does not implement an uninsured parents program as provided for in IC 12-17.7 after December 31, 2002, and before July 1, 2003,**

(1) the transfer of funds under this chapter will cease on July 1, 2003;

(2) all tax receipts on deposit in a county general fund under section 1(b) of this chapter shall be immediately transferred to the state hospital care for the indigent fund for use as provided in section 2 of this chapter or, if the state hospital care for the indigent fund is closed, to the state uninsured parents program fund;

(3) on July 1, 2003, all tax receipts on deposit in a county general fund under section 1(c) of this chapter shall be immediately transferred to the state uninsured parents program fund for distribution under section 3 of this chapter; and

(4) all funds deposited in the state hospital care for the indigent fund shall be used as provided in section 2 of this chapter.

SECTION 148. IC 12-16-14.1-6, AS ADDED BY P.L.283-2001, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: **Sec. 6. If the uninsured parents program implemented and maintained under IC 12-17.7 terminates under IC 12-17.7-9-1**

- (1) all transfers under this chapter will cease immediately;
- (2) all tax receipts on deposit in a county general fund under section 1(b) of this chapter, shall be immediately transferred to the state hospital care for the indigent fund for use as provided in section 2 of this chapter or, if the state hospital care for the indigent fund is closed, to the state uninsured parents program fund;
- (3) all tax receipts on deposit in a county general fund under section 1(c) of this chapter, shall be immediately transferred to the state uninsured parents program fund; and
- (4) after December 31, 2002, all funds deposited in the state hospital care for the indigent fund shall be used as provided in section 2 of this chapter.

SECTION 153. IC 12-16.1-13-4, AS ADDED BY P.L.283-2001, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. (a) Subject to ~~IC 12-16-14.1-5(4)~~ **IC 12-16-14.1-5** and ~~IC 12-16-14.1-6(4)~~; **IC 12-16-14.1-6**, the state hospital care for the indigent fund under this article consists of the following:

- (1) Money transferred to the state hospital care for the indigent fund from the county hospital care for the indigent funds.
- (2) Any contributions to the fund from individuals, corporations, foundations, or others for the purpose of providing hospital care for the indigent.
- ~~(3) Money advanced to the fund under IC 12-16.1-14.~~
- ~~(4)~~ (3) Appropriations made specifically to the fund by the general assembly.

(b) This section does not obligate the general assembly to appropriate money to the state hospital care for the indigent fund.

SECTION 154. IC 12-17-1-10, AS AMENDED BY P.L.273-1999, SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 10. (a) Upon the completion of an investigation under section 9 of this chapter, the county office shall do the following:

- (1) Determine whether the child is eligible for assistance under this chapter and the division's rules.
- (2) Determine the amount of the assistance and the date on which the assistance is to begin.
- (3) Make an award, including any subsequent modification of the award, with which the county office shall comply until the award or modified award is vacated.
- (4) Notify the applicant and the division of the county office's decision in writing.

(b) The county office shall provide assistance to the recipient at least monthly upon warrant of the ~~county~~ auditor **of state**. The assistance must be

1 ~~(1) made from the county family and children's fund; and~~

2 ~~(2) based upon a verified schedule of the recipients.~~

3 (c) The director of the county office shall prepare and verify the
4 amount payable to the recipient, in relation to the awards made by the
5 county office. The division shall prescribe the form upon which the
6 schedule under subsection ~~(b)(2)~~ **(b)** must be filed.

7 SECTION 155. IC 12-17-3-3 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 3. (a) The state
9 shall ~~provide money to a county to assist the county in defraying the~~
10 **pay** expenses incurred for child welfare services as provided in section
11 1 of this chapter.

12 (b) The state shall provide the money under subsection (a) as follows:

13 ~~(1) Monthly:~~

14 ~~(2) Based upon need:~~

15 ~~(3) (1) From money received through the federal government for~~
16 ~~the purpose described in this section.~~

17 ~~(4) (2) In an amount to be determined by the division in conformity~~
18 ~~with the Social Security Act (42 U.S.C. 602).~~

19 SECTION 156. IC 12-17.7-9-2, AS ADDED BY P.L.283-2001,
20 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JANUARY 1, 2003]: Sec. 2. Upon termination of the uninsured parents
22 program, all funds on deposit in the state uninsured parents program
23 fund, including funds transferred to the fund under IC 12-16-14.1-6(2)
24 **(as effective December 31, 2002)**, shall be used to pay expenses and
25 other obligations of the program, as determined by the office. Any
26 remaining funds attributable to taxes levied under IC 12-16-14-1(1)
27 **(repealed)** or allocated under IC 12-16-14-1(2) **(repealed)** shall be
28 transferred from the fund for use as the state's share of payments under
29 IC 12-15-15-9(h). Any remaining funds attributable to transfers from
30 the Medicaid indigent care trust fund under IC 12-15-20-2(5) shall be
31 transferred from the state uninsured parents program fund for use as the
32 state's share of payments under IC 12-15-20-2(5)(D)."

33 Page 240, between lines 28 and 29, begin a new paragraph and
34 insert:

35 "SECTION 262. IC 12-19-1-16, AS AMENDED BY P.L.273-1999,
36 SECTION 92, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JANUARY 1, 2003]: Sec. 16. ~~(a) This section does not apply to money~~
38 ~~received to reimburse the county family and children's fund for~~
39 ~~expenditures made from the appropriations of the county office.~~

40 ~~(b)~~ A county office may receive and administer money available to
41 or for the benefit of a person receiving payments or services from the
42 county office. The following applies to all money received under this
43 section:

44 (1) The money shall be kept in a special fund known as the county
45 family and children trust clearance fund and may not be

commingled with any other fund or with money received from taxation.

(2) The money may be expended by the county office in any manner consistent with the following:

(A) The purpose of the county family and children trust clearance fund or with the intention of the donor of the money.

(B) Indiana law.

SECTION 162. IC 12-19-1-21, AS ADDED BY P.L.273-1999, SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 21. (a) Notwithstanding any other law, after December 31, 1999, a county may not impose any of the following:

(1) A property tax levy for a county welfare fund.

(2) A property tax levy for a county welfare administration fund.

(b) Notwithstanding any other law, after December 31, 2002, a county may not impose any of the following:

(1) A property tax levy for the county's family and children's fund (IC 12-19-7-3 (repealed)).

(2) A property tax levy for a county medical assistance to wards fund (IC 12-13-8-2 (repealed)).

(3) A property tax levy for a children with special health care needs county fund (IC 16-35-3-1 (repealed)).

(4) The part of a county general fund levy imposed under IC 12-16-14-1 (repealed) to transfer money to the state for the hospital care for indigent program or the uninsured parent program.

This subsection does not prohibit a property tax levy under IC 12-19-5 or IC 12-19-7 to repay the principal of, interest on, issuance costs of, or liquidation costs of loans or bonds issued for expenditures from the county family and children's fund before January 1, 2003.

SECTION 163. IC 12-19-1-22, AS ADDED BY P.L.273-1999, SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 22. (a) All bonds issued and loans made under IC 12-1-11 (before its repeal) or this article:

(1) before January 1, 2000, that are payable from property taxes imposed under IC 12-19-3 (before its repeal); **or**

(2) before January 1, 2003, that are payable from property taxes imposed under IC 12-19-7-3 (repealed) to eliminate the authority to impose a property tax levy;

~~(1)~~ are direct general obligations of the county issuing the bonds or making the loans and ~~(2)~~ are payable out of unlimited ad valorem taxes that shall be levied and collected on all taxable property within the county.

(b) Each official and body responsible for the levying of taxes for the county must ensure that sufficient levies are made to meet the principal and interest on the bonds and loans at the time fixed for the payment of the principal and interest, without regard to any other statute. If an

official or a body fails or refuses to make or allow a sufficient levy required by this section, the bonds and loans and the interest on the bonds and loans shall be payable out of the county general fund without appropriation.

SECTION 164. IC 12-19-1.5-6, AS ADDED BY P.L.273-1999, SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 6. (a) As used in this chapter, "replacement amount" means the sum of the property taxes imposed on the assessed value of property in the allocation area in excess of the base assessed value in 1999 for

(1) the county welfare fund; and

(2) the county welfare administration fund;

any of the property tax levies described in section 8 of this chapter. The part of the county general fund levy imposed in 2002 on the property imposed in the allocation area for the operation of the courts, as determined by the department of local government finance, in excess of the base assessed value in 2002 and the property taxes imposed on the assessed value of property in the allocation area that exceed the base assessed value in 2002 for:

(1) the county family and children's fund;

(2) the county health care for the indigent fund;

(3) the county medical assistance to wards fund; and

(4) the county children with special health care needs fund.

(b) The term includes the part of:

(1) the county general fund levy that is eliminated as a result of the assumption after 2002 of court personnel and other operating expenditures under IC 33-1-18-6; and

(2) the school general fund levy that is eliminated as a result of the change in the tuition support formula in 2002 by the general assembly;

that exceeds the base assessed value in 2002 for a school general fund levy.

SECTION 165. IC 12-19-1.5-8, AS ADDED BY P.L.273-1999, SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 8. (a) This chapter applies to an allocation area:

(1) in which:

~~(1)~~ **(A)** the holders of obligations received a pledge before July 1, 1999, of tax increment revenues to repay any part of the obligations due after December 31, 1999; and

~~(2)~~ **(B)** the elimination of a county welfare fund property tax levy or a county welfare administration fund property tax levy adversely affects the ability of the governing body to repay the obligations described in ~~subdivision (1)~~; **clause (A);**

(2) in which:

(A) the holders of obligations received a pledge before July 1, 2002, of tax increment revenues to repay any part of the obligations due after December 31, 2002; and

(B) the elimination of:

(i) a county family and children's fund;

(ii) a county health care for the indigent fund;

(iii) a county medical assistance to wards fund; or

(iv) a county children with special health care needs fund; property tax levy adversely affects the ability of the governing body to repay the obligations described in clause (A); or

(3) in which:

(A) the holders of obligations received a pledge before July 1, 2002, of tax increment revenues to repay any part of the obligations due after December 31, 2002; and

(B) the elimination of the part of the county general fund levy imposed in 2002 for personnel or other operating expenses of the courts as determined by the department of local government finance;

adversely affects the ability of the governing body to repay the obligations described in clause (A).

(b) This chapter applies to an allocation area in which:

(1) the holders of obligations received a pledge before July 1, 2002, of tax increment revenues to repay any part of the obligations due after December 31, 2002; and

(2) the reduction of a school general fund levy adversely affects the ability of the governing body to repay the obligations described in subdivision (1).

(c) A governing body may use one (1) or more of the procedures described in sections 9 through 11 of this chapter to provide sufficient funds to repay the obligations described in subsection (a). The amount raised each year may not exceed the replacement amount.

SECTION 166. IC 12-19-1.5-9, AS ADDED BY P.L.273-1999, SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 9. (a) A governing body may, after a public hearing, impose a special assessment on the owners of property that is located in an allocation area to repay:

(1) a bond or an obligation described in ~~section 8~~ **section 8(a)(1)** of this chapter that comes due after December 31, 1999; or

(2) a bond or an obligation described in **section 8(a)(2) of this chapter that comes due after December 31, 2002.**

The amount of a special assessment for a taxpayer shall be determined by multiplying the replacement amount by a fraction, the denominator of which is the total incremental assessed value in the allocation area, and the numerator of which is the incremental assessed value of the taxpayer's property in the allocation area.

(b) Before a public hearing under subsection (a) may be held, the governing body must publish notice of the hearing under IC 5-3-1. The notice must state that the governing body will meet to consider whether a special assessment should be imposed under this chapter and whether the special assessment will help the governing body realize the redevelopment or economic development objectives for the allocation area or honor its obligations related to the allocation area. The notice must also name a date when the governing body will receive and hear remonstrances and objections from persons affected by the special assessment. All persons affected by the hearing, including all taxpayers within the allocation area, shall be considered notified of the pendency of the hearing and of subsequent acts, hearings, and orders of the governing body by the notice. At the hearing, which may be adjourned from time to time, the governing body shall hear all persons affected by the proceedings and shall consider all written remonstrances and objections that have been filed. The only grounds for remonstrance or objection are that the special assessment will not help the governing body realize the redevelopment or economic development objectives for the allocation area or honor its obligations related to the allocation area. After considering the evidence presented, the governing body shall take final action concerning the proposed special assessment. The final action taken by the governing body shall be recorded and is final and conclusive, except that an appeal may be taken in the manner prescribed by subsection (c).

(c) A person who filed a written remonstrance with a governing body under subsection (b) and is aggrieved by the final action taken may, within ten (10) days after that final action, file in the office of the clerk of the circuit or superior court a copy of the order of the governing body and the person's remonstrance or objection against that final action, together with a bond conditioned to pay the costs of appeal if the appeal is determined against the person. The only ground of remonstrance or objection that the court may hear is whether the proposed assessment will help achieve the redevelopment of economic development objectives for the allocation area or honor its obligations related to the allocation area. An appeal under this subsection shall be promptly heard by the court without a jury. All remonstrances or objections upon which an appeal has been taken must be consolidated, heard, and determined within thirty (30) days after the time of the filing of the appeal. The court shall hear evidence on the remonstrances or objections, and may confirm the final action of the governing body or sustain the remonstrances or objections. The judgment of the court is final and conclusive, unless an appeal is taken as in other civil actions.

(d) The maximum amount of a special assessment under this section may not exceed the replacement amount.

(e) A special assessment shall be imposed and collected in the same manner as ad valorem property taxes are imposed and collected.

1 SECTION 168. IC 12-19-5-10 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 10. (a) If a county
 3 director:

4 (1) appeals before August 1 of a year for permission to borrow
 5 money under **a provision of** this chapter **(before its repeal)**;

6 (2) receives permission from the county fiscal body to borrow
 7 money before November 1 of the year; and

8 (3) borrows money **before January 1, 2003**, under IC 12-1-11.5
 9 (before its repeal) or **a provision of** this chapter **(before its**
 10 **repeal)**;

11 the county auditor shall levy a property tax beginning in the following
 12 year and continuing for the term of the loan.

13 (b) The property tax levied under subsection (a) must be in an
 14 amount each year that will be sufficient to pay the principal and interest
 15 due on the loan for the year.

16 (c) The levy under this section shall be retained by the county
 17 treasurer and applied by the county auditor to retire the debt.

18 **(d) This section expires December 31, 2013.**

19 SECTION 169. IC 12-19-5-11 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 11. (a) If a county
 21 director:

22 (1) appeals after August 1 of a year **and before January 1, 2003**,
 23 for permission to borrow money;

24 (2) receives permission from the county fiscal body to borrow
 25 money; and

26 (3) borrows money in the year of the appeal under IC 12-1-11.5
 27 (before its repeal) or **a provision of** this chapter **(before its**
 28 **repeal)**;

29 the county auditor shall levy a property tax beginning in the second
 30 year following the year of the appeal and continuing for the term of the
 31 loan.

32 (b) The property tax levied under subsection (a) must be in an
 33 amount each year that will be sufficient to pay the principal and interest
 34 due on the loan for the year.

35 (c) The levy under this section shall be retained by the county
 36 treasurer and applied by the county auditor to retire the debt.

37 **(d) This section expires December 31, 2013.**

38 SECTION 172. IC 12-19-7-19 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 19. (a) An
 40 ordinance adopted by the county fiscal body authorizing a loan under
 41 **a provision of** this chapter **(before its repeal)** must do the following:

42 (1) Authorize the issuance of the bonds of the county to evidence
 43 the loan.

44 (2) Fix the following:

45 (A) The loan's maximum amount, which may be less than the
 46 amount shown by the estimate of the county director.

(B) The number of semiannual series in which the bonds are payable, which may not exceed twenty (20).

(b) This section expires December 31, 2023.

SECTION 173. IC 12-19-7-28 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 28. (a) All bonds issued under a provision of this chapter **(before its repeal)**:

(1) are direct general obligations of the county issuing the bonds; and

(2) are payable out of unlimited ad valorem taxes that shall be levied and collected on all the taxable property within the county.

(b) Each official and body responsible for the levying of taxes for the county must ensure that sufficient levies are made to meet the principal and interest on the bonds at the time fixed for the payment of the principal and interest, without regard to any other statute. If an official or a body fails or refuses to make or allow a sufficient levy required by this section, the bonds and the interest on the bonds shall be payable out of the general fund of the county without appropriation.

(c) This section expires December 31, 2023.

SECTION 174. IC 12-19-7-32 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 32. (a) The serial bonds issued under section 31 of this chapter **(before its repeal)**:

(1) may be of any denomination that is:

(A) not less than fifty dollars (\$50); and

(B) not more than one thousand dollars (\$1,000);

(2) shall be payable:

(A) at any place named on the serial bonds; and

(B) at any time not later than fifteen (15) years after the date of the serial bonds;

(3) may bear any rate of interest, payable annually or semiannually;

(4) shall be sold at not less than the par value of the bonds; and

(5) shall be sold in the manner provided for the sale of bonds issued under IC 12-20-23.

(b) This section expires January 1, 2018.

SECTION 175. IC 12-19-7-33 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 33. (a) The county fiscal body shall add to the tax duplicate of the county:

(1) an annual levy sufficient to pay the yearly interest on the bonds issued under section 31 of this chapter **(before its repeal)**; and

(2) an annual levy sufficient to provide a sinking fund for the liquidation of the principal as the principal becomes due. The sinking fund shall be applied solely to the payment of the bonds.

(b) If the county fiscal body fails to levy a tax sufficient to pay the interest on the bonds or to liquidate the principal of the bonds as the principal becomes due, the county auditor shall levy the tax or increase the tax levy made by the county fiscal body in the amount necessary to pay the interest and to retire the bonds as the bonds become due.

(c) Notwithstanding any other law, the tax levy may not be reduced below the amount required under this section.

(d) This section expires January 1, 2018."

Page 257, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 304. IC 16-33-4-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 17. (a) Each child, the estate of the child, the parent or parents of the child, or the guardian of the child, individually or collectively, are liable for the payment of the costs of maintenance of the child of up to one hundred percent (100%) of the per capita cost, except as otherwise provided. The cost shall be computed annually by dividing the total annual cost of operation for the fiscal year, exclusive of the cost of education programs, construction, and equipment, by the total child days each year. The maintenance cost shall be referred to as maintenance charges. The charge may not be levied against any of the following:

(1) The division of family and children. ~~or the county office of family and children to be derived from county tax sources.~~

(2) A child orphaned by reason of the death of the natural parents.

(b) The billing and collection of the maintenance charges as provided for in subsection (a) shall be made by the superintendent of the home based on the per capita cost for the preceding fiscal year. All money collected shall be deposited in a fund to be known as the Indiana soldiers' and sailors' children's home maintenance fund. The fund shall be used by the state health commissioner for the:

(1) preventative maintenance; and

(2) repair and rehabilitation;

of buildings of the home that are used for housing, food service, or education of the children of the home.

(c) The superintendent of the home may, with the approval of the state health commissioner, agree to accept payment at a lesser rate than that prescribed in subsection (a). The superintendent of the home shall, in determining whether or not to accept the lesser amount, take into consideration the amount of money that is necessary to maintain or support any member of the family of the child. All agreements to accept a lesser amount are subject to cancellation or modification at any time by the superintendent of the home with the approval of the state health commissioner.

(d) A person who has been issued a statement of amounts due as maintenance charges may petition the superintendent of the home for a release from or modification of the statement and the superintendent shall provide for hearings to be held on the petition. The superintendent of the home may, with the approval of the state health commissioner and after the hearing, cancel or modify the former statement and at any time for due cause may increase the amounts due for maintenance

1 charges to an amount not to exceed the maximum cost as determined
2 under subsection (a).

3 (e) The superintendent of the home may arrange for the
4 establishment of a graduation or discharge trust account for a child by
5 arranging to accept a lesser rate of maintenance charge. The trust fund
6 must be of sufficient size to provide for immediate expenses upon
7 graduation or discharge.

8 (f) The superintendent may make agreements with instrumentalities
9 of the federal government for application of any monetary awards to be
10 applied toward the maintenance charges in a manner that provides a
11 sufficient amount of the periodic award to be deposited in the child's
12 trust account to meet the immediate personal needs of the child and to
13 provide a suitable graduation or discharge allowance. The amount
14 applied toward the settlement of maintenance charges may not exceed
15 the amount specified in subsection (a).

16 (g) The superintendent of the home may do the following:

17 (1) Investigate, either with the superintendent's own staff or on a
18 contractual or other basis, the financial condition of each person
19 liable under this chapter.

20 (2) Make determinations of the ability of:

21 (A) the estate of the child;

22 (B) the legal guardian of the child; or

23 (C) each of the responsible parents of the child;

24 to pay maintenance charges.

25 (3) Set a standard as a basis of judgment of ability to pay that shall
26 be recomputed periodically to do the following:

27 (A) Reflect changes in the cost of living and other pertinent
28 factors.

29 (B) Provide for unusual and exceptional circumstances in the
30 application of the standard.

31 (4) Issue to any person liable under this chapter statements of
32 amounts due as maintenance charges, requiring the person to pay
33 monthly, quarterly, or otherwise as may be arranged, an amount
34 not exceeding the maximum cost as determined under this chapter.

35 SECTION 305. IC 16-33-4-17.5 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 17.5. (a) In the
37 case of a child who is:

38 (1) admitted to the home from another county; and

39 (2) adjudicated to be a delinquent child or child in need of services
40 by the juvenile court in the county where the home is located;

41 the juvenile court may order the ~~county office~~ **division** of family and
42 children of the child's county of residence before the child's admission
43 to the home to reimburse the cost of services ordered by the juvenile
44 court, including related transportation costs, and any cost incurred by
45 the county to transport or detain the child before the order is issued.

~~(b)~~ A county office of family and children ordered to reimburse costs under this section shall pay the amount ordered from the county family and children's fund:

~~(c)~~ **(b)** The county office **division** of family and children may require the parent or guardian of the child, other than a parent, guardian, or custodian associated with the home, to reimburse the **county division of family and children's fund children** for an amount paid under this section.

~~(d)~~ **(c)** A child who is admitted to the home does not become a resident of the county where the home is located.

~~(e)~~ **(d)** When an unemancipated child is released from the home, the county office **division** of family and children **for the child's county of residence before entering the home** is responsible for transporting the child to the parent or guardian of the child. If a parent or guardian does not exist for an unemancipated child released from the home, the county office of family and children of the child's county of residence before entering the home shall obtain custody of the child.

SECTION 181. IC 16-35-2-10.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: **Sec. 10.1. The state department shall use money appropriated from the state general fund for services to children with special health care needs to pay the expenses and obligations incurred by the state department for services to children with special health care needs."**

Page 340, delete lines 38 through 39 and insert the following:

"SECTION 363. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2003]: IC 12-13-8; IC 12-16.1; IC 16-35-3."

Page 340, delete line 37, and insert:

"IC 6-1.1-18.6; IC 6-3.1-21-7; IC 6-3.1-21-10; IC 6-5; IC 12-13-8; IC 12-13-9; IC 12-16.1-13; IC 12-16.1-14; IC 12-17-3-2; IC 12-17.8-1; IC 12-17.8-2-5; IC 12-19-5-1; IC 12-19-5-2; IC 12-19-5-3; IC 12-19-5-9; IC 12-19-7-1.5; IC 12-19-7-2; IC 12-19-7-3; IC 12-19-7-4; IC 12-19-7-5; IC 12-19-7-6; IC 12-19-7-7; IC 12-19-7-8; IC 12-19-7-9; IC 12-19-7-10; IC 12-19-7-11; IC 12-19-7-11.1; IC 12-19-7-15; IC 12-19-7-16; IC 12-19-7-17; IC 12-19-7-18; IC 12-19-7-19; IC 12-19-7-20; IC 12-19-7-21; IC 12-19-7-22; IC 12-19-7-23; IC 12-19-7-24; IC 12-19-7-25; IC 12-19-7-26; IC 12-19-7-27; IC 12-19-7-29; IC 12-19-7-30; IC 12-19-7-31; IC 12-19-7-32; IC 16-35-3; IC 16-35-4."

Page 358, delete lines 19 through 42.

Page 359, delete lines 1 through 36.

Page 360, delete lines 24 through 40.

Page 361, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 403. [EFFECTIVE UPON PASSAGE] **(a) To the extent possible, if there is a conflict between this act and the provisions of any other act, it is the intent of the general assembly that the two**

1 acts be read together and the policies in both acts be implemented
2 into law.

3 (b) If there is a conflict between this act and the provisions of any
4 other act addressing whether the state or a county is responsible
5 for the funding and administering of:

6 (1) the medical assistance to wards program under IC 12-13-8
7 (repealed);

8 (2) the children with special health care needs program under
9 IC 16-35-3 (repealed);

10 (3) the county hospital care for the indigent program under
11 IC 12-16-14 (repealed); and

12 (4) the county obligation for child services (as defined in
13 IC 12-19-7);

14 it is the intent of the general assembly that responsibility for the
15 funding and administering of the programs fall on the state and not
16 on any or all counties.

17 SECTION 404. [EFFECTIVE JANUARY 1, 2003] (a) The county
18 medical assistance to wards fund is abolished on January 1, 2003.
19 Money remaining in the county medical assistance to wards fund
20 on January 1, 2003, shall be transferred to the auditor of state for
21 deposit in the sales tax welfare fund before January 6, 2003. Taxes
22 collected after December 31, 2002, that became due and payable
23 before January 1, 2003, as a result of a property tax levy imposed
24 for the county medical assistance to wards fund shall be
25 transferred to the sales tax welfare fund before the fifth day after
26 the month in which the taxes are collected. A refund after
27 December 31, 2002, of property tax payments initially collected
28 from a taxpayer as a result of a levy imposed before January 1,
29 2003, for the county medical assistance to wards fund shall be
30 reimbursed from the county general fund. A property tax levy for
31 the county medical assistance to wards fund may not be imposed
32 after December 31, 2002.

33 (b) The children with special health care needs county fund is
34 abolished on January 1, 2003. Money remaining in the children
35 with special health care needs county fund on January 1, 2003,
36 shall be transferred to the auditor of state for deposit in the sales
37 tax welfare fund before January 6, 2003. Taxes collected after June
38 30, 2002, that became due and payable before July 1, 2002, as a
39 result of a property tax levy imposed for the children with special
40 health care needs county fund shall be transferred to the sales tax
41 welfare fund before the fifth day after the month in which the taxes
42 are collected. A refund after December 31, 2002, of property tax
43 payments initially collected from a taxpayer as a result of a levy
44 imposed before January 1, 2003, for the children with special
45 health care needs county fund shall be reimbursed from the county
46 general fund. A property tax levy for the children with special

1 health care needs county fund may not be imposed after December
2 31, 2002.

3 (c) The family and children's fund is abolished on the later of
4 January 1, 2003, or the date all bonds and loans payable from the
5 fund for expenses incurred before January 1, 2003, are retired.
6 Money remaining in the family and children's fund on January 1,
7 2003, after the payment of all obligations incurred before January
8 1, 2003, the repayment of all advances to the fund from another
9 fund made before January 1, 2003, and any amounts in the fund
10 needed to repay any bonds or loans to the family and children's
11 fund, shall be transferred to the auditor of state for deposit in the
12 sales tax welfare fund before January 6, 2003. Taxes collected after
13 December 31, 2002, that became due and payable before January
14 1, 2003, as a result of a property tax levy imposed for the family
15 and children's fund (other than taxes imposed to repay bonds or
16 loans to the family and children's fund) shall be transferred to the
17 sales tax welfare fund before the fifth day after the month in which
18 the taxes are collected. A refund after December 31, 2002, of
19 property tax payments initially collected from a taxpayer as a
20 result of a levy imposed before January 1, 2003, for the family and
21 children's fund shall be reimbursed from the county general fund.
22 A property tax levy for the family and children's fund may not be
23 imposed after December 31, 2002. A county's obligation to pay for
24 child services (as defined in IC 12-19-7-1) delivered after December
25 31, 2002, ceases after December 31, 2002. A county retains the
26 obligation to discharge liabilities incurred from the county's family
27 and children's fund before January 1, 2003."

28 Renumber all SECTIONS consecutively.

(Reference is to HB 1001(ss) as printed June 3, 2002.)

Representative Dobis